



2005
AF

Practitioner's Docket No. 1062/C54

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Larry B. Gray, Richard Lanigan

Application No.: 10/037,614

Group No.: 3763

Filed: January 4, 2002

Examiner: Desanto, M.F.

For: Loading Mechanism for Infusion Pump

Corres. and Mail
BOX AF

**RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Date: March 15, 2005

Samuel J. Petuchowski

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit Fee
Total	6	Minus	20	= 0	x \$50 =	\$0
Indep	1	Minus	3	= 0	x \$200 =	\$0
First Presentation of Multiple Dependent Claim					+ \$360 =	\$0
Total Addit. Fee						<u>\$0</u>

* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

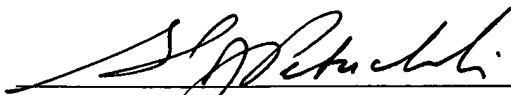
No additional fee for claims is required.

FEE DEFICIENCY

5. If any additional extension and/or fee is required, charge Account No. 19-4972.

If any additional fee for claims is required, charge Account No. 19-4972.

Date: March 15, 2005



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gray et al. Atty Dkt: 1062/C54
Serial No: 10/037,614 Art Unit: 3763
Date Filed: January 4, 2002 Examiner: DeSanto, M.F.
Invention: LOADING MECHANISM FOR
INFUSION PUMP

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service via Express Mail EV 401276507 US to Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on March 15, 2005.


Samuel J. Petuchowski

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION OF DECEMBER 15, 2004

Dear Sir:

In response to the office action mailed December 15, 2004 and made final, Applicants offer the following remarks in the hope they might be helpful to the Examiner in distinguishing the present invention over the prior art and result in allowance of the pending claims.

The Claims are listed, beginning on page 2.

Remarks begin on page 4.